

BEFORE THE STATE ENGINEER, STATE OF UTAH.

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IN THE MATTER OF THE WATERS)	{	PETITION FOR APPOINTMENT OF
OF BOXELDER CREEK IN)		
TOOELE COUNTY.)		<u>WATER COMMISSIONER</u>

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Comes now the Grantsville South Willow Irrigation Company, a corporation, and represents to the State Engineer as follows:

I.

That the Grantsville South Willow Irrigation Company is a corporation duly organized and operating as an irrigation company under the laws of the State of Utah.

II.

That said company is, and has been, the exclusive owner of all the waters of Boxelder Creek in Tooele County, Utah, since 1890, and that its predecessors in interest have been the exclusive owners of said waters since 1867.

III.

That from time to time various and sundry persons have sought to acquire said waters or portions thereof by unlawful acts and through applications to the State Engineer for the use of the same, all of which acts have been prevented and all applications to the State Engineer have been denied; that by reason of interference with said waters from time to time, and the threatening interference of individuals upon said Boxelder Creek, all the water users constituting the said Grantsville South Willow Irrigation Company are desirous of having a water commissioner appointed by the State Engineer for the purpose of distributing said waters to the lawful users thereof.

IV.

That said users are prepared, and will pay the costs incident to such commissionership, direct to said commissioner without recourse to the State Engineer, and are prepared and will

furnish such bond as the State Engineer may prescribe in conformity to law.

V.

That Wendell H. Anderson ^{of Grantsville, Ut.} is a proper person to be appointed commissioner, and will be satisfactory to the users of the waters of Boxelder Creek.

VI.

That while interference is most constant with the waters of Boxelder Creek, your petitioner is desirous of having the jurisdiction of said commissioner extend to the waters of South Willow Creek in Tooele County, Utah, for the reason that all the waters of both Boxelder Creek and South Willow Creek are owned and used by the same persons.

WHEREFORE, your petitioner prays that the State Engineer will forthwith appoint Wendell H. Anderson as commissioner to control and distribute the waters of Boxelder and South Willow Creeks in Tooele County in accordance with provisions of Utah law.

D. M. Draper
ATTORNEY FOR PETITIONER

STATE OF UTAH,)
COUNTY OF SALT LAKE.) SS.

D. M. DRAPER, being first duly sworn says that he is the attorney for the Grantsville South Willow Irrigation Company and makes this verification on behalf of said corporation and the users of the waters of Boxelder and South Willow Creeks in Tooele County, for the reason that said petitioner is not within Salt Lake County; that he has read the foregoing petition, knows the contents thereof, and that the same is true except as to matters therein stated upon information and belief, and as to such matters he believes them to be true.

D. M. Draper

Subscribed and sworn to before me this 10th day of August, 1936.

Marion H. Ramsey
NOTARY PUBLIC, Residing
at Salt Lake City, Utah

